Sect. II-27—36,606—30-10-37

F-W (1939) Department.

4S. SERIES

G.O. No. 3

DATED 3-1-1939

[Despatch Abstract.]

Electricity - Kadapa. Electric Licence - Fixing of a stay to an electric post on private land. Appeal against Dt Magistrate's Order - Rejected

To

The Honourable the Government of Madras,
Public Works Department,
Fort St. George, M a d r a s.

Revision petition under section 12 (4) of the Indian Electricity Act IX of 1910.

Sri Purkal Keshava Shanbhag, son of P. Chardappa Shanbhag, merchant, residing in the town of Udipi, South Kanara District.) Petitioner.

Versus.

The Udipi Electric Supply Corporation Ltd. Udipi, South Kanara.) Respondent.

Being highly aggrieved by the order passed by the District Magistrate, South Kanara in Ref. Cl-2277/M/38 dated 6th July 1938 (annexed hereto) overruling the objections of the petitioner and granting permission to the Respondent to put stays or struts in the land of the Petitioner in S.F. 87/III.B of Mudanidambur - village, the petitioner above-named begs to prefer this revision petition against the said order on the following grounds inter - alia.

1. That the order of the District Magistrate is highly - unjust and in-equitable and is also void and not binding upon the Petitioner.

2. That the order is vitiated by reason of the fact that it is based upon the opinion of the Tahsildar and not on the independent enquiry or judgement of the District Magistrate.

3. That the order is further vitiated by reason of the - failure on the part of the District Magistrate to hold a local - inspection of the locality in order to enable him to appreciate the validity of the respective contentions of the parties. - Under the special circumstances of this case, the District Magistrate was bound to hold a local inspection as prayed for by the

Petitioner.

4. That the District Magistrate has failed to observe - that the insistence of the Respondent to put up stays at point C in the plan annexed, for the post at spot B, is utterly frivolous and vexatious and is designed to annoy and cause serious inconvenience to the petitioner besides putting him to heavy damage.

5. That the District Magistrate has failed-to-note that the only ground of the petitioner's objection to the putting up of stays at point C is that it will seriously interfere with - the construction of a shop building at plot A, which the Petitioner proposes to put up shortly.

6. That the Petitioner is a merchant trading in Udipi - without any independent shop building of his own, who is now - trading in a rented building and it is with a view to supply this want that he has decided to put up s shop building(37 ft. by 10 feet) of his own in front of his house and facing the - public road J to the north.

7. That the plot A ~~set~~ marked for the shop building, being situated in a highly central and convenient position in the - midst of the surrounding locality, is a most valuable plot ~~which~~ the benefit of which the petitioner cannot afford to lose, except at the cost of - serious detriment and damage to himself, which the petitioner estimates at nearly Rs. 1,500/- or at Rs. 75/- per annum.

8. That to obviate this damage to the petitioner, he proposed to the Respondent that the electric post at point B may be shifted either to point D, 5 ft. to the west of B, or to point H, 15 ft. to the east of point B, and that in such a case he, the Petitioner, would have no objection to stays or struts being put up either at point E for the post at D or at point I for the post at H.

9. That it will be readily seen that the petitioner's proposal to the Respondent as stated above will not result in

any sort of inconvenience to the Respondent, and may even add to the strength of the ariel line, by reducing the distance of 192 ft now existing between the posts at B and the post to the east - thereof, if the post at B is to be shifted to the point at H. That under the circumstances, the refusal of the ~~Petitioner~~ Respondent to accept the said proposal and to insist on putting their stays at point C will be found to be dictated neither by reason nor by necessity but by a determination to vex, annoy and damnify the Petitioner, by interfering with the enjoyment of his land as best as he wants to do.

10. That in the light of the above it will be readily seen that the conduct of the Respondent is not only not bonafide, but amounts to sheer malice in fact, and it is a matter for deep - regret that the Respondent is acting in this matter not in their own interests but on the instigation of some enimies of the - Petitioner who are bent upon thwarting him in all possible ways.

11. That the Petitioner's proposal afore-said is still open to the Respondent to accept and affords the only means of getting out of a situation ~~fought~~ straught with great inconvenience and loss to the Petitioner, without in any way jeopardising the interests of the Respondent.

12. That the Petitioner believes that if the District - Magistrate had held a local inspection, he would have readily - recognised the justice and the reasonableness of the Petitioner's objection, and would have refused the permission now granted by him. His observation in the order that the Petitioner's objection is unreasonable, is accordingly unfounded.

13. That the order of the District Magistrate is further illegal and void as it is in contravention of section 12 (3) - which lays down a mandatory duty on the District Magistrate to fix the amount of compensation payable to the Petitioner in an order to be passed under section 12 (2). The District Magistrate has no power to pass any order which does not provide by its very terms for the payment of compensation but which seeks to provide

it at a later stage. The order accordingly is null and void.

14. That the Petitioner accordingly submits that the order of the District Magistrate is unsustainable both in Law and on the merits of the case.

15. That the Petitioner understands that the Respondent is in undue haste to execute the order passed in his favour by putting up the stays at point C even before the Petitioner moves the Government in revision with a view to annoy and harm him and by trying to present a "fait accompli" to the Government before the hearing of this petition. That it is therefore necessary in the interests of justice and fair play that an emergent order for interim stay of the execution of the order of the District Magistrate should be passed by the Government and communicated to the Petitioner and to the District Magistrate.

That the Petitioner prays therefore in conclusion that the benign Government may be graciously pleased to take the above facts and grounds into their favourable consideration and as a result thereof and after giving to the Petitioner due notice of the hearing of this petition, be further pleased to pass orders,

(a) Setting aside the order of the District Magistrate appealed against.

(b) Granting immediately an interim stay of the execution of the District Magistrate's order as prayed for in para 15 above.

(c) Or in the alternative, directing the District Magistrate not to execute his order pending the disposal of this petition.

For which act of bare justice, mercy and consideration, the petitioner shall, as in duty bound, ever remain indebted.

Udipi;)
)
Dated 9th July 1938.)

P. Keshava Shenoi
Petitioner.

Enclosures - (1) True copy of the Dt. Magistrate's order Ref.C1-2277/M/38 of 6.7.38 served on the petitioner. (2) A correct plan of the locality in question with an index of the important plots and spots shown therein in red ink.
(two only)

P. Keshava Shenoi
Petitioner.

5/

Ref.C1-2277/M/38.

Proceedings of the District Magistrate of South Kanara, dated the 6th July 1938.

Sri Rao Bahadur M. V. Vellodi, B.A.

The Indian Electricity Act, 1910 - Udipi Electric Licenc putting up stays or struts in private lands - Udipi Town - objection of the owners of the lands - orders passed.

Read application dated 12.6.1938 of the Udipi Electric Supply Corporation Ltd., Udipi, the petition, dated 22.6.38 of P. Keshava Shanbhag and the records of enquiry held by the Tahsildar, Udipi.

The Resident Engineer, Udipi Electric Supply Corporatior Ltd., Udipi applies for permission to put stays or struts in the land belonging to certain private persons specified below, for the sole purpose of securing in position the aerial lines of the Corporation

	S.No.	Holding No.	Village.	Taluk.
1.	87/B	117	Mudanidambur	Udipi

Owner - Lakshmi alias Akku Shedthy.

2.	87/3B	153	do.	do.

Owner - Keshava Shanbhag ∅ Purkal.

3.	132/3	286	do.	do.

Owners - Marceline Cornelio and William Cornelio.

4.	87/B2	68	do.	do.

Owner - Thimmappa Nayak.

The Resident Engineer states that the owners specified above object to the putting of stays or struts in their land.

2. The records of enquiry show that the owners Lakshmi alias Akku Shedthy, Marceline Cornelio and William Cornelio and Thimmappa Nayak do not object and that the objection of Keshava Shanbhag is unreasonable.

3. Sri P. Keshava Shanbhag objects on the ground that the putting of a stay or a strut in his land in the place selected for the purpose will interfere with the shop building which he proposes to construct on his land. The records of enquiry show that the land is not a shop site and that there is hardly any space for constructing a shop. I am satisfied that his objection is unreasonable and accordingly overrule it.

4. Permission is accordingly granted to the applicant to put stays or struts in the lands specified in the first para of these proceedings.

5. Sri P. Keshava Shanbhag and Mrs. Marceline Cornelio

and Mr. William Cornelio are desired to state, within a week of the receipt of this order, what rent they claim for the portion of the land used for putting stays or struts.

(By Order)

Huzur Sheristedar.

To

(1) The Resident Engineer, Udipi Electric Supply Corporation Ltd., Udipi.

(2) Mrs. Lakshmi alias Akku Shedthy.

(3) Sri P. Keshava Shanbhag.

(4) Mr. William Cornelio and Mrs. Marceline Cornelio.

(5) Sri K. Thimmappa Nayak & Sri K. Gopalakrishna Nayak.

Nos.2, 3, 4 & 5 through Tahsildar, Udipi.

(6) The Tahsildar, Udipi.

1

Pub (Elec)

30/12/8 12/8

Memo No 2414 E/38-2 14/3/38

Udipi Electric Licence -
Erection of pole and a
stay wire -

A copy of the appeal filed against the Dt Magistrate's order in the above case, together with a copy of the report thereon by the Elec. Inspector to Govt. is forwarded to the Dt. Magistrate South Kanara. He is requested to report whether the pole with the stay has been erected at the point B objected to by the appellant/s and the line conductors strung thereon, and if so to obtain from the Udipi Electric Supply Corpn. their evidence as to the necessity for a stay/s and forward it to Govt. He is also requested to verify whether the sketch plan sent herewith correctly shows the position of the petitioner's property and the position of the pole objected to.

Dated 1938
Date 193

To the Dt Magistrate South Kanara with a copy of the appeal + sketch plan for information and report.

(2) El. Insp's report 8/8/38

Portion marked A on pth 1-2 the sketch plan

Ref. C1-2277-M-38. South Kanara Dt. Magistrate's Office,
Mangalore, dated 9th September 1938.

From

Sri Rao Bahadur M.V. Vellodi, B.A.,
Dt. Magistrate of South Kanara.

ASST SECRETARY TO GOVERNMENT
E
12 SEP 1938
3187
To
PUBLIC WORKS DEPARTMENT

The Secretary to Government,
Public Works (Electrical) Department,
Madras.

Sir,

Udipi Electric licence - Erection of a pole and stay wire - appeal to Government.

Government Memo No. 2414-E/38-2 dated 12-8-38.

The pole has been erected at the place B objected to and the stay fixed at C, with the line conductors string thereon. The evidence as to the necessity of a stay has been furnished by the Udipi Electric Supply Corporation Ltd. in its letter dated 4-9-38 copy of which is enclosed. The sketch furnished by the Company is also enclosed.

2. The sketch plan received with the Government Memo correctly shows the position of the appellant's property and the location of the pole objected to excepting for some minor discrepancies in measurements. The correct measurements have been noted in brackets where those given by the appellant are wrong. The stay C has been fixed 3'-10" to the east of the stone wall F. The distance from the point C to the wicket gate is 4'-3". The sketch is returned herewith.

For Dt. Magistrate.

Letter from the Resident Engineer, The Udipi Electric Supply Corporation Ltd., Udipi.
To the Tahsildar, Udipi Taluk, Udipi.
R.E.E. No. U.T. 22/38, dated 4-9-38.

Sub: The Indian Electricity Act - Erection of a pole and stay - objection by P. Keshava Shanubhaga -appeal to Government.

We beg to acknowledge the receipt of your letter No.B5-7031-38-M of 3rd instant regarding the above, and I am giving below my views why the stay in question is not possible to shift. I am enclosing herewith a sketch showing the position our distribution mains, poles, stays and struts in the Kadabettu road where the stay in question is put. In the sketch enclosed A is the position of the pole for which the stay S is put. B and C are poles on either side of the pole A. L B A C inside road is 150'.5 wires of No.8 S.W.G is taken on the poles, three wires of No.8 SWG for three phases, one for street lighting and one for neutral. R.S. joists of 5" x 3" of 28ft. length, each joist weighing about 300 lbs, are put for poles.

First let us consider whether it is possible to shift the pole A, towards B. If the pole A is shifted from the present position towards B, another pole at the position A is required, since it is angle position. There is also likelihood of conductors coming in the centre of the road if the present position of the A is shifted either towards B or C. Now let us consider strain on wires.

Wind pressure on wires $1.25 \times d \times l \times n$

Where d = diameter of wire in inches, l = length in feet (average span) and n = number of wires . . . . = 1.25 x .16 x 166 x 5 = 166 lbs. $(\times \frac{2}{3})$?

Moment of wind pressure on wires (average height of wires from the ground is 21 ft.) = 166 x 21 = 3486 lbs. ft.

10

Wind pressure on poles . . . . = 1.25 x mean diameter in inches x height in feet.

= 1.25 x 5 x 23 = 143.75 lbs.

Moment of wind pressure on ~~pilots~~ poles = 143.75 x 23/2 = 1653 lbs. ft.

The toal bending moment which the pole is subjected to = 3486 + 1653 = 5139 lbs.ft.

Allowing a factory of safety (6) for R.S. joists, the pole unless stayed will have a breaking stress not less than = 6 x 5139 = 30834 lbs.ft. which is equivalent to about 1468 lbs. applied 21 ft. above the ground level.

The resultant load R caused by the line wires on the post is R = 2 T sin(θ/2) where T is the tension of the wires and the θ, the supplement of the angle contained by the line wires. In this particular case, angle BAC contained by the line wires is 150°, and θ the suplement of this angle is (180°-150°) = 30°.

The tension on the 5 wires of No.8 SWS on the angle pole A is 5 x 1120/5 lbs. where, 1120 lbs. is the breaking strain on No.8 wires and 5, the factor of safety.

1237/2.

R = 2 x 1120 x Sin (30/2)

= 2 x 1120 x Sin 15°

= 2 x 1120 x .26

= 582.4 lbs.

The resultant load at this angle is the working load on wires which is equal to 582.4 lbs. and hence a single resultant stay to take this strain of 582.4 lbs. is quite essential. X

(True Copy)

For Dt. Magistrate.

10.9.37.

THE UDIPI ELECTRIC SUPPLY CORPORATION LTD.

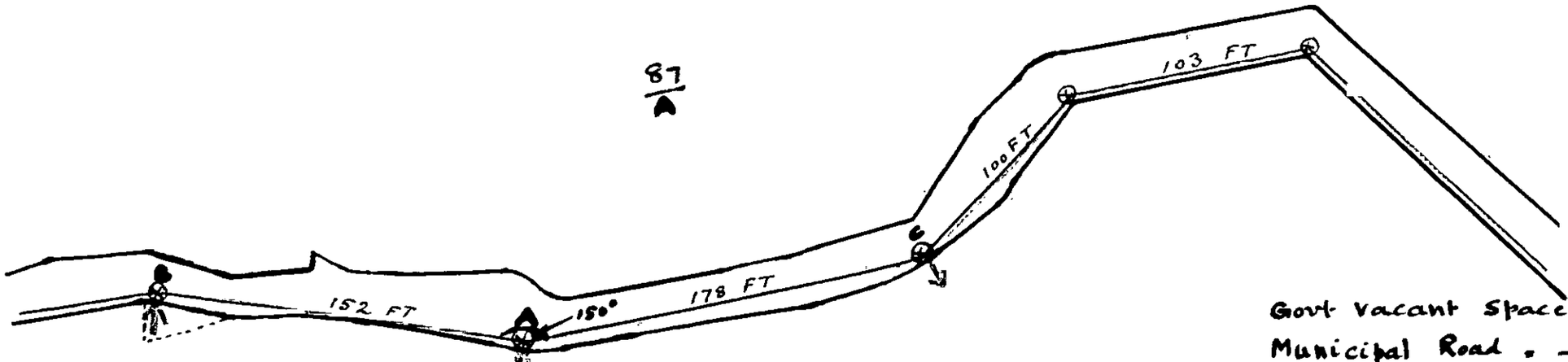
91

N

17

Village { No. 49
Mudpanidur

Field Nos:- 147 & 148



Govt vacant Space .....
Municipal Road . ———
Distribution Lines = ———
Pole positions .... = ⊗
Stays - - - - - = ↓
Struts ——— = ↑

Scale:- 1" = 62 FT

UDIPI.

3.9.31

Three phase No.8 copper, with ~~no~~ street lighting line No.8, and neutral No.8
Poles are 5"x3" Girders, 28 Feet Length, and weigh about 300. lbs
S is the position of the stay where objection is raised
∠BAC = 150° (road angle)
AS. = 17 Feet, which is the horizontal distance between the pole and stay at Ground

12

THE UDIPI ELECTRIC SUPPLY CORPORATION LTD.,

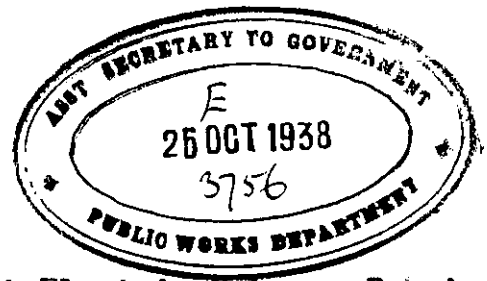
Managing Agents :
MECHELEC ENGINEERING CO., Ltd.,
15, MOWBRAY'S ROAD, MYLAPORE,
MADRAS.

TELE { GRAM : MECHELEC.
PHONE : 8162.

STATION Madras,

Dated 21st October 1938.

REF. No. U.432/38.



The District Magistrate,
South Kanara District,
M A N G A L O R E.

Dear Sir,

Sub:- Electricity--Udipi Electric Scheme--Permission to put up stays or struts in private land.
Ref:- Your Communication No.C1-2742/M/38, dated the 3rd October 1938.

We beg to acknowledge receipt of your above communication. We are surprised to note the opinion of the Electrical Inspector, viz. that a stay is unnecessary in the land of Sri Keshva Shanubhog. In this connection, we beg to inform you that the Electrical Inspector inspected our works on the 20th September 1938 and particularly the stay at the land of Sri P. Keshva Shanubhog, and informed us that a stay will be absolutely necessary there, without which there is a danger of the live line falling down on the passers-by creating danger to life. We therefore presume that the opinion you have in hand from the Electrical Inspector as mentioned in your communication referred to above, might be before he inspected the works. He definitely informed us that the alignment of the distribution line on the Kadabettu Road in which the land of Sri P. Keshva Shanubhog is also situated, is perfectly correct as is perfectly erected by us, and has given us permission in his letter No.11713 dated the 27th September 1938 to energise the lines. We have accordingly energised the lines on the 30th September 1938. We repeat therefore that the removal of the stay ~~rod~~ at this stage will endanger the public and request that your decision may kindly be reconsidered and the stay as is at present put may be kept as it is as per your original orders. We are also sending a copy of this letter to the Electrical Inspector to the Government of Madras, Secretary to the Public Works Department, Fort St. George, and the Sub-Divisional Magistrate Coondapoor.

We beg to remain,
Dear Sir,
Yours faithfully,
For The Udipi Electric Supply Corpn. Ltd.,
The Mechelec Engineering Co. Ltd., Mg. Agents,

MANAGING DIRECTOR.

Copy to the
Secretary to the
Public Works Dept.
FORT ST. GEORGE, Madras.

12

P.W.D (Elec)

46/22/11

Memo N 2414 E/38-4

22.11.38

Udipi Electric Licence.
Fixing of a stay on private land. Appeal - Refee.

Note by the E.E. No 11769/38-4 dt 5.11.38.

In his note No 11769/38-C-2 dt 28.7.38, the E.E. expressed the opinion that the necessity for the stay was doubtful as there was no bend in the road. The licensee's sketch plan however shows that there is a bend at the point objected to, the angle at the bend being 150°. In his second note dated 5.11.38, the E.E. says that an assurance may be obtained from the licensee that, in case any building is erected at the place objected to, the licensee should remove the stay and make other arrangements free of cost to the owner of the land. Apparently he considers that the necessity for the stay has not been proved. His attention is specially invited to the licensee's last letter to the EE.

Magistrate No U. 432/38 d 21.10.38,
a copy of which was also forwarded
to the E.D.S., and in view of the
existence of the bond, he
is requested to state definitely
whether he will revise his
opinion as to the necessity for the stay.

21.11.38

21.11.38

2

The E.D.S.

22/11

15

C.F. 30.

ELECTRICITY **DEPARTMENT.**

ASST SECRETA
14 DEC 1938
4571
PUBLIC WORKS DEPARTM

Received .....19 *Registered* 19

Subject.

Udipi Electric Licence - Fixing of a stay on private land.

ENCLOSURES.
No. Plan.
.....
Spare copies.....

No. 11769/38-G-6.

Station Chepauk, Madras, *Dated the* 13th December 19 38.

From (Name) E.J.B.Greenwood, Esq., M.Sc.,M.I.E.E.,M.I.E., (Ind.),
(Designation) Deputy Chief Engineer for Electricity.

To The Secretary to the Government of Madras,
PUBLIC WORKS Department.

Sir,

In your Memo. dated 22nd November you invited me as Electrical Inspector to Government to revise my opinion over the necessity of a stay. That opinion was given over my signature dated 28.7.1938 after examination of a plan then before me. In my telephonic message of the 29th November I asked for the concerned sketch plan but in your endorsement dated 1st December you send me a plan dated 3.9.38; but this could not have been before me in giving my opinion 28.7.1938.

In

16

2.

In view, however, of this later plan now returned herewith and the report of the Electrical Inspector's inspection on 20.9.38 I would revise my opinion as to the necessity for the stay; the stay is necessary.

13.12.38.
DEPUTY CHIEF ENGINEER (ELECTRICITY).

EJBG:RS.

4-1

PWD(Elu)

(CP 2414E/38) From Sri Purkal Keshava Shanbhag, Udipi

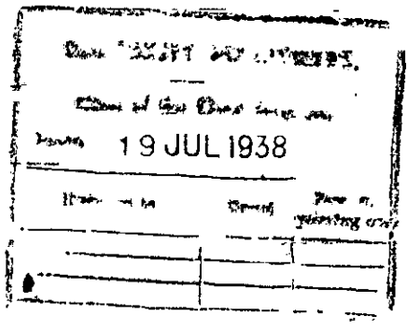
dt. 7.38

Urgent

Udipi Electric Licence -
Erection of supports to poles.
Appeal against Dt. Magistrate's
order

—

11769



The appeal is made to Govt. under Sec. 12(4) of the Indian Electricity Act 1910, against the Dt. Magistrate's order. This may be forwarded to the El. Inspector Govt for an urgent report.

Ees
16/7

EJ 9

15.7.38

PWDsecno 2414E/381
16.7.38

Office of the E. I. G.

At the outset I must admit that I consider the District Magistrate's order (under Section 12(2) of the I.E.Act) is legally in order, but incomplete with reference to Section 12(3) in that the amount of compensation or annual rent or of both is not stated; the D.M. has however, I note, called for particulars to that end.

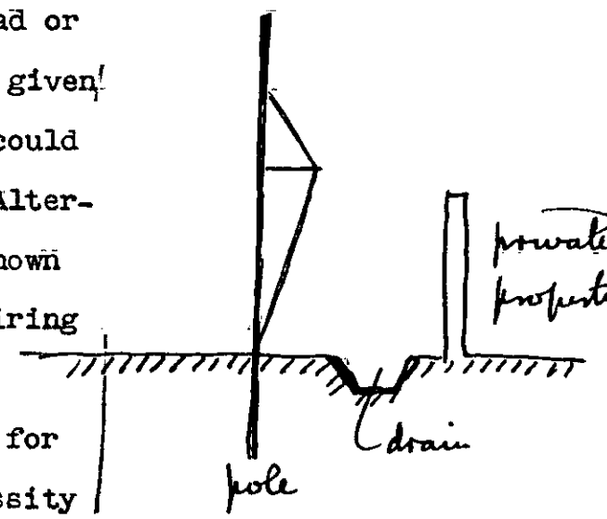
Turning to the petitioner's plan, I am surprised to note a number of points. To begin with the pole in such a narrow (22 ft. wide) street is as much as 6 ft. away from the edge. It could have been located on the edge of the drain fully 3 ft. further to the side. The post is seen

Copy of report to
E.I.G.
Elec. Inspector
Govt. 29/7/38

A

to be at B with stay at C, but the petitioner would prefer it either 5 ft. west at D with stay at E or 15 ft. east at H with stay at I. I would add that if the pole is already erected and the lines strung the petitioner's request to move the pole would put the licensee to additional expense of some Rs.25.

I am doubtful as to the necessity for any stay to pole B; there is no bend in the road or electric line and if a service connecion is given to the far side of the road the conductors could be loosely sagged to obviate a stay wire. Alternatively in the 6 ft. space a bow stay as shown in red in the sketch could be provided, requiring no footing in the petitioner's property.



I think the petitioner has some ground for dissatisfaction. There seems to be no necessity for any stay. I suggest Govt. ask the D.M. to obtain and submit evidence as to the necessity for the stay and to state whether the pole has been erected and the line conductors strung thereon; at the same time the plan submitted by the petitioner might be forwarded to the D.M. for careful check.

28.7.38

Secy. to Govt., P.W.D., U:O:

E:I.G. U:O:No. 11769/38 G.2

28-7-38

Public (Elec)

The D. M. may be addressed as proposed by the E. I. G. A copy of his note above as edited by me is also sent herein. Draft memo is submitted

28-8-38

28-8-38

Memo to the Magistrate

2414 E/38-2d (28.8.38) CF

(CAO 3187/E/38) from the Dt Registrar, S. Canara
No Ref. cc-2277-11-38 dt 9-9-38
PWD (Elec)

pp 8-9
CF

The Dt Magistrate has reported that the pole has been erected and the wire stung. He has also furnished the company's explanation

pp 9-10
CF

for the necessity for the stay. The file may be sent early to E I G for [illegible]

Rec 13/9 E I G

13/9
(US
Govt
13/9

urgent

PWD(Elec) No 2414/E/38-3
13.9.38
with two sketch maps

Office of the Electrical Inspector to Government.

15031

ELECTRICITY DEPARTMENT
Rec'd 15 SEP 9 AM
Ref. no.
Date of Issue

Considering that the lines are erected and stay put in, it is not advisable to remove the stay now. The owner of the land may be assured in writing by the licensees that in case of any building being erected, they will remove the stay and make other arrangements free of cost to the owner of the land.

From the District Magistrate's proceedings it is doubtful whether a shop can be built at that place as it is said that there is hardly any space for building one.

Plan 3 in P 50 F

7-11.

To the Secy. to Govt. U.O.
P.W.D.

E.I.G. U.O.No.
11769/38 G-4
5-11-38.

PWD (Elec)

This is an appeal against the Dt Magistrates order under Sec 12 (4) of the Act. The Dt Magistrate has ordered that in regard to the stay at the point in the compound of the complainant's house the objection of the owner is unreasonable where it is now fixed, ~~unnecessary~~. The necessity

ASST SECRETARY TO GOVERNMENT
E
8-NOV 1938
3964
PUBLIC WORKS DEPARTMENT

for the stay has been explained by the licensee, ~~has been explained~~ in their two letters dated ~~dated~~ 4.9.38 and 21-10-38 supp 9-10-38 & 12 C.F. The E.O. has not remarked on the merits of the case with reference to the position* explained by the licensee. He suggests that the complainant may be assured in writing that if ever any building is to be erected, the stay will be removed. The contention is that the stay at the place where it is fixed now is necessary. If it cannot be removed ~~at a future date~~, now, it cannot be removed at a future date. ~~now~~. There is therefore no point in E.O.'s suggestion. Either the Dt. Magistrate's order must be confirmed or the licensee directed to remove it at once. In view of the position explained by the licensee, which the E.O. has not questioned or commented adversely upon, it seems that the appeal may be dismissed. A draft order is submitted.

May be submitted to Hon (MS)

13.11.38

15.11.38

S

* This explanation is not stated at any earlier stage — Mem. for Govt.

E.O. stated on page 2 that he doubted whether a stay was necessary — personally because he thought there was no bend. The licensee's sketch shows that there is a bend

5/

the angle at the head being 150 Elly should be definitely asked whether in the Circ? explained by the licensee he wishes to revise his opinion. His attention shd also be drawn to the letter at page 12 C/f

Elly
17/11

A draft memo is submitted.

21.11.38

22/11

21.11.38

1/p 19.11.38 C/f

Memo to the Elec. Inspr No. 4414 E/38-4
dd 22.11.38

1/p 11.12.38 C/f

(C/No 4511 E/38) from the ~~Electrical~~ No 11764/38 E-6
Deputy Chief Engineer
dd 13.12.38

Mr. Greenwood has now received his opinion and says that the stay objected to is necessary. The draft order already in the file may now be approved. The order is self-explanatory.

Air 21/12
R 23/12

19/12

19/12

19/12

Elly

VSM

4414(PW) 23/12

Elly

VSM

Dasse 23/12

12f
3/1

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
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SUBJECT :— Electricity - Udipi Electric Licence - fixing of a stay ~~to an electric~~ post on private land - Appeal against DC Magistrate's order - ~~Rejected~~ Rejected

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO* :—

fpp 1-3 :— No. 2414 E/38 From ~~the~~ Sri Purkal Keshava Shenbhag, Merchant, Udipi, dated 9-7-1938.

fpp & 10cf — " 3187 E/38 " The DC Magistrate, South Kanara " CL. 2211-M38 9-9-1938.

fpp 12cf " 3256 E/38 " The Udipi Electric Supply Corpn. Ltd " U. 432/38 " 21-10-1938.

~~Resolution~~ Order ~~Rout.~~ Ms. No. 3, dated 3-1-1939.

The papers read above relate to a revision petition preferred by Sri Purkal Keshava Shenbhag, a resident of Udipi, against the order of the DC Magistrate of South Kanara regarding the fixing of a stay to an electric post by the Udipi Electric Supply Corporation Ltd in the land belonging to the petitioner. The Govt have made a careful examination of the case in consultation with the Electrical Inspector and consider that the position of the stay objected to is not likely to cause any inconvenience to the petitioner, in future interests, be shifted from its present position.

They ~~opposite party~~ See no reason
Therefore to interfere with the DC
Magistrate's order.

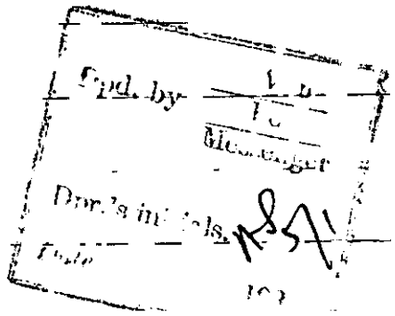
13-11-58

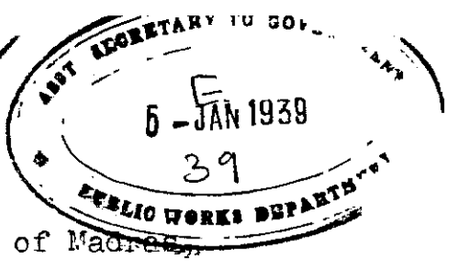
15.11.58

-Do-

Sri. Perukal Keshava Shenoy,
Merchant Udupi

The DC Magistrate South Kanara
E. P. C. (2 copies)





To

The Hon'ble the Government of Madras,

Public Works Department,

Fort St. George, M A D R A S.

Sri. Purkal Keshava Shanbhag, son of P. Chardappa Shanbhag, merchant, residing in Udipi town, South Kanara.) Petitioner.

versus

The Udipi Electric Supply Corporation Ltd. Udipi, South Kanara.) Respondents.

The petitioner above-named begs to submit that he had filed a revision petition under Section 12 (4) of the Indian Electricity Act IX of 1910 on 9th July 1938.

The petitioner regrets he has not yet been informed the orders passed on the said revision petition.

The petitioner, therefore, humbly prays to kindly favour him with a copy of the orders passed thereon at an early date.

For which act of bare justice, mercy and consideration, the petitioner shall, as in duty bound ever remain indebted.

P. Keshava Shanbhag.

Udipi, dated 31st December 38 Petitioner.

PWD(EC)

orders have since been issued
in GO No 3 Elg d 3.1.39. Hence
may be lodged.

7.1.39

9/1